

1-1 By: Williams S.B. No. 965  
 1-2 (In the Senate - Filed February 28, 2013; March 12, 2013,  
 1-3 read first time and referred to Committee on Criminal Justice;  
 1-4 March 27, 2013, reported favorably by the following vote: Yeas 6,  
 1-5 Nays 0; March 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 |     |     | X      |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the correction of employment termination reports for  
 1-18 law enforcement officers.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Section 1701.4525, Occupations  
 1-21 Code, is amended to read as follows:

1-22 Sec. 1701.4525. PETITION FOR CORRECTION OF REPORT;  
 1-23 HEARING[; ADMINISTRATIVE PENALTY].

1-24 SECTION 2. Subsection (e), Section 1701.4525, Occupations  
 1-25 Code, is amended to read as follows:

1-26 (e) In a proceeding to contest information in an employment  
 1-27 termination report for a report based on alleged misconduct, an  
 1-28 administrative law judge shall determine if the alleged misconduct  
 1-29 occurred by a preponderance of the evidence regardless of whether  
 1-30 the person who is the subject of the report was terminated or the  
 1-31 person resigned, retired, or separated in lieu of termination. If  
 1-32 the alleged misconduct is not supported by a preponderance of the  
 1-33 evidence, the administrative law judge shall order the commission  
 1-34 to change the report [~~to be changed~~].

1-35 SECTION 3. Subsection (e-1), Section 1701.4525,  
 1-36 Occupations Code, is repealed.

1-37 SECTION 4. The changes in law made by this Act to Section  
 1-38 1701.4525, Occupations Code, apply only to a petition for a  
 1-39 correction of an employment termination report submitted on or  
 1-40 after the effective date of this Act. A petition submitted before  
 1-41 the effective date of this Act is governed by the law in effect on  
 1-42 the date the petition was submitted, and the former law is continued  
 1-43 in effect for that purpose.

1-44 SECTION 5. This Act takes effect September 1, 2013.

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